

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable S. Phillip Lenski, Administrative Law Court Judge

Case No. 14-ALJ-04-0273-AP
Appellate Case No. 2014-001592

Michael Richard Higgins, #247499 Appellant

v.

South Carolina Department of Corrections Respondent

APPELLANT'S MOTION FOR LATE FILING

Michael Richard Higgins
#247499
Lieber Correctional Institution WB-227
Post Office Box 205
Ridgeville, South Carolina 29472

APPELLANT, *Pro se*

Other counsel of record:

Daniel J. Crooks, III, Esquire
Office of General Counsel
S.C. Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221-1787

Attorney for Respondent

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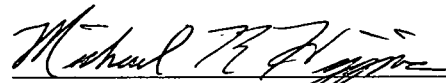
SC COURT OF APPEALS

Michael Richard Higgins, the pro se Appellant, respectfully moves this Honorable Court, pursuant to Rule 240, south Carolina Appellate Court Rules (SCACR), for permission to file late the enclosed Initial Brief of Appellant and Designation of Matter.

Appellant submits that he is a layman at law and has had difficulty in understanding the dynamics of the appellate process, researching the issue on appeal, and properly preparing the appeal in conformity with the SCACR. Appellant submits that this motion is executed in good faith and not with the intent to delay. Appellant believes he, and others similarly barred from constitutionally mandated appellate review, are entitled to relief from the unconstitutional application of S.C. Code § 1-23-600(D) as amended by 2008 Act no. 334, §7.

WHEREFORE, based on the foregoing, I respectfully move this Honorable Court to allow this matter on appeal as a late filing.

Respectfully submitted,



Michael Richard Higgins
#247499

Lieber Correctional Institution WB-227
Post Office Box 205
Ridgeville, South Carolina 29472

APPELLANT, pro se

November 4, 2014

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U.S. COURT OF APPEALS

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PROOF OF SERVICE

The undersigned hereby certifies that he has served a true and correct copy of Appellant's Motion for Late Filing upon Respondent by placing a copy in the U.S. Mail, first-class postage affixed thereto, this 7 day of November, 2014, addressed as follows:
Daniel J. Crooks, III, Esq.
Deputy General Counsel
South Carolina Department of Corrections
P.O. Box 21787
Columbia, SC 29221-1787



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